

## COVID-19 Nita M. Lowey 21st Century Community Learning Center 2020-21 Frequently Asked Questions (As of 1/6/2021)

The Wisconsin Department of Public Instruction (DPI) understands that Wisconsin Nita M. Lowey 21st Century Community Learning Centers (21st CCLC) have many questions regarding obligations during the COVID-19 (Coronavirus) pandemic. This document is intended to provide answers to some of the commonly asked questions regarding program services and operations related to COVID-19. For information on COVID-19 and its impact on K-12 Education and Libraries, please visit the [DPI's COVID-19 webpage](#). Please contact your [21st CCLC consultant](#) with further inquiries.

### General Information

**Q1:** *Our program did not meet all grant requirements last year (2019-20) due to the COVID-19-related closure of schools. Will the program be penalized?*

**A:** The DPI waived many grant requirements for the 2019-20 school year, including total days of operation and number of regular attendees. (For a full list of requirement waivers, please see [Amendments and Waivers of Nita M. Lowey 21st Century Community Learning Centers Requirements for 2019-2020](#).) While DPI did not waive the ADA requirement entirely, DPI consultants worked with grantees on a case-by-case basis to address compliance requirements. Such requirements included determining whether or not a program that did not serve the number of students required by its funding tier would be dropped to a lower tier or remain at its current funding level. 21st CCLC grantees did not face sanctions for failing to meet any requirements that were waived by DPI.

**Q2:** *Can my 21<sup>st</sup> CCLC program stop operations for an extended period of time during the 2020-21 school year due to COVID-19-related school closures?*

21<sup>st</sup> CCLC programs are expected to operate for the majority of the 2020-21 school year and may not shut down for extended periods of time (i.e., more than one or two weeks at a time). If programs are not able to serve students in-person for more than a week or two, they are expected to provide virtual learning activities for students and their families. These may consist of on-line synchronous and asynchronous activities, as well as activity kits that are picked up by families or delivered to students' homes. Programs operating virtually are expected to offer at least one academic enrichment activity per week and at least two other allowable activities (e.g., art, music, physical activity, mentoring, etc.). Additionally, programs are expected to track participation in these virtual activities to the

best of their abilities and record it in Cayen’s AS21 system. If programs opt not to provide programming during the 2020-21 school year, they will be required to turn back their grant award and will not be able to finish the remainder of their grant cycle.

## Program Operations

**Q3:** *Are there specific safety procedures or modifications our program must follow in order to offer in-person services?*

**A:** Grantees should refer to their county health department and local education agency to determine what procedures should be in place to operate safely. Grantees are encouraged to refer to [Education Forward](#), DPI’s guidance document for district and school leaders planning for a safe, efficient, and equitable return to school for the 2020-21 school year amid the COVID-19 pandemic. In particular, grantees are encouraged to consult the [Infection Control and Mitigation section](#) of Education Forward.

**Q4:** *Are programs still required to ensure safe transportation to and from the program?*

**A:** Yes. Per the federal statute under Title IV, Part B, of the Elementary and Secondary Education Act (ESEA) as amended by the Every Student Succeeds Act (ESSA), grantees are required to ensure that safe transportation is available to all program participants and that lack of transportation is not a barrier to participation. This requirement also applies to programs that are offering in-person instruction to students when schools are operating remotely. Programs are encouraged to survey families of the school(s) served by the grant to determine transportation needs.

Given this requirement:

- 21st CCLC programs must offer additional transportation options to families unable to transport their students to and from the program site.
- 21st CCLC funds may be used to fund transportation costs (e.g., contracting with a bus service or leasing a van) or to purchase bus tickets for students who use public transportation to get to and from the program. 21st CCLC funds cannot be used to provide gas cards for families or to reimburse families for transportation costs.
- 21st CCLC programs must prioritize safety for students traveling **to** and **from** the program.
- Grantees may encourage families to pick up their students, but they may not require them to do so.

**Q5:** *How does our program determine which hours count as day school instructional time and which ones count as out-of-school time when schools are operating virtually?*

**A:** Per the federal statute under Title IV, Part B, of the ESEA, as amended by ESSA, the 21st CCLC program provides students attending qualifying schools opportunities for academic enrichment through a broad array of additional services during “non-school

hours or periods when school is not in session (such as before and after school or during summer recess)". Therefore, a 21st CCLC program may provide services to students before school, evenings, weekends, holidays, summers, other school vacation periods, or any time outside of day school instruction.

According to DPI's [Regulatory Flexibility Framework](#), when schools are operating virtually, "hours of instruction should be based on the time teachers are available to students and the school district's estimate of the amount of time needed to accomplish learning objectives each day." Given this guidance, DPI is defining "out-of-school" time as any period of time that is outside of the school's or district's hours of instruction, as determined by the school or district.

The hours of instruction and, thus, out-of-school time hours, will differ from district to district, and possibly from school to school within a district. 21st CCLC programs should consult with the districts and schools they serve, including any private schools they serve, to determine when teachers are available to help students and how much time the district or school estimates students will need to accomplish daily learning objectives. Based on that information, 21st CCLC programs should determine what hours of the day would be considered "out-of-school time" for their particular district or school. For more information on how to report hours of operation, refer to [Nita M. Lowey 21<sup>st</sup> Century Community Learning Center 2020-2021 Attendance Requirements and FAQ](#).

If substantially altering the approved 21st CCLC program plan, a [Program Change Request form](#) should be submitted for review.

For more information related to this topic, please consult DPI's [Considerations for 21st CCLC Programs Operating During the 2020-21 School Year](#) document.

**Q6:** *The effects of COVID-19 may impact the required average daily attendance (ADA) or regular attendee requirement for our funding in 2020-21. Will our award be reduced if our required ADA or number of required regular attendees is not attained?*

**A:** Every effort should be made to meet or exceed the targeted number of students associated with your funding tier. The DPI recognizes that there are multiple challenges facing programs in 2020-21 and will work with programs on a case-by-case basis to assist in resolving non-compliance concerns. The DPI intends to review attendance data during the mid-year data check and will identify appropriate policies that may impact all programs. In the meantime, grantees are encouraged to continue to recruit and serve students, while prioritizing students with the greatest need for services and support.

**Q7:** *Are programs operating virtually still required to operate a minimum of 115 days per year?*

**A:** In 2020-21, DPI may provide flexibility for programs with regards to the requirement they operate for a minimum of 115 days in some situations. For example, schools may temporarily close, suspending 21<sup>st</sup> CCLC services and resulting in a reduced number of

service days. Fill out a [Program Change Request form](#), and communicate with DPI regarding your situation. For more information about what counts as a program day or how to report them, refer to [Nita M. Lowey 21<sup>st</sup> Century Community Learning Center 2020-2021 Attendance Requirements and FAQ](#).

**Q8:** *Are programs operating virtually still required to operate a minimum of 10 hours per week?*

**A:** Under normal circumstances, DPI expects programs to operate at least 10 hours per week (in a typical week). However, 10 hours of programming may not be realistic for exclusively virtual programs (e.g., participants may be fatigued from online learning during the school day, virtual programming may require substantially more staff time to develop, etc.). For programs operating entirely virtually or remotely, DPI will provide flexibility regarding the requirement that programs operate 10 hours per week during the period in which the program is virtual. However, although DPI will not require 10 hours of program per week during virtual programming, DPI will examine the diversity of activities provided, requiring at least one academic enrichment activity be provided to all participants per week and at least two other types of activities be provided to all participants each week.

For hybrid programs (offering a blend of in-person programming and virtual programming), decisions regarding the requirement to operate 10 hours per week will be made on a case-by-case basis. Fill out a [Program Change Request form](#) and communicate with DPI regarding your program's situation.

For in-person programs, it is anticipated that programs will operate 10 hours per week at a minimum. However, fill out a [Program Change Form form](#) and communicate your program's situation to DPI should that not be possible. Flexibility may be provided if warranted.

For more information about what counts as a program hour and how to report them in CAYEN, refer to [Nita M. Lowey 21<sup>st</sup> Century Community Learning Center 2020-2021 Attendance Requirements and FAQ](#).

**Q9:** *The 21st CCLC program is unable to operate at the site approved in the grant application or most recently-approved Yearly Progress Report (YPR). Can the program offer services at another location?*

**A:** Yes. A [Program Change Request form](#) should be submitted for review if a program needs to change its service location. The proposed new location must be safe and accessible, and transportation between the school(s) served, program site, and home cannot be a barrier for any student who wishes to attend the 21st CCLC.

**Q10:** *Is homework assistance an allowable use of 21st CCLC funds if a school is operating virtually all or part of the time?*

**A:** The DPI considers homework assistance to be a form of remedial instruction and, thus, an allowable activity for 21st CCLC programs. When schools are operating virtually all or part of the time, it becomes more difficult to distinguish which activities assigned by the day school teacher count as school work and which count as homework. If there are activities assigned by the day school teacher that are considered homework by the teacher and are not counted as part of the student's instructional time, 21st CCLC funds may be used to provide assistance to students completing those assignments.

Current federal guidance indicates that asynchronous instructional activities that are assigned by the day school teacher and are counted as part of a student's instructional time are not considered homework and 21st CCLC funds cannot be used to provide oversight or support to students completing those activities.

For more information related to this topic, please consult DPI's [Considerations for 21st CCLC Programs Operating During the 2020-21 School Year](#) document.

**Q11:** *Can the program continue to provide snacks and meals to current 21st CCLC participants if the program offers only asynchronous programming?*

**A:** Yes. There are updated requirements from the United States Department of Agriculture (USDA) available on the [DPI School Nutrition Team's website](#). Contact a School Nutrition team member with any questions.

**Q12:** *Are adult family program activities still required if the program is operating virtually?*

**A:** Yes. The requirement that programs host activities for adult family members has not been waived. It is recommended that programs hold a minimum of four family events per year. Family activities should provide opportunities for an adult family member's active and meaningful engagement in their children's education, including opportunities for literacy and related educational development. Activities for families may be offered in-person or virtually. Efforts should be taken to track attendance at events and reported accordingly.

## Reporting Requirements

**Q13:** *What are the attendance taking requirements for 2020-21?*

**A:** Consult the [Nita M. Lowey 21<sup>st</sup> Century Community Learning Center 2020-2021 Attendance Requirements and FAQ](#) for detailed information on this topic.

**Q14:** *What are the evaluation requirements for 2020-21?*

**A:** Consult [Nita M. Lowey 21<sup>st</sup> Century Community Learning Center 2020-2021 Attendance Requirements and FAQ](#) document for detailed information on this topic.

## Use of Grant Funds

**Q15:** *Can 21<sup>st</sup> CCLC monies be used to purchase and supply families with take-home materials for program activities?*

**A:** Yes. 21<sup>st</sup> CCLC grant funds may be used to purchase reasonable, necessary, and allowable programming materials for at-home use by program participants. Note that if materials are non-consumable (e.g., books, board games, Legos, etc.), they are considered federal property and will need to be returned to the program. An inventory system must be in place to track items, their cost, and their return. Refer to [Nita M. Lowey 21<sup>st</sup> Century Community Learning Center 2020-2021 Attendance Requirements and FAQ](#) on how to report participation for at-home activities.

**Q16:** *Can 21<sup>st</sup> CCLC grant funds be used to pay staff for time when they are unable to work due to exposure to COVID-19, having a pending COVID-19 test, or having an active case of COVID-19?*

**A:** 21<sup>st</sup> CCLC grantees may use grant funds to pay staff for COVID-19 related leave time if the staff benefit they are creating is being given to **all** hourly staff employed by the grantee, both those that work in the 21<sup>st</sup> CCLC program and those that don't. It is considered reasonable to charge 21<sup>st</sup> CCLC staff leave time to the 21<sup>st</sup> CCLC grant in this case because both federal and non-federally funded employees are being treated the same.

DPI supports LEAs who have committed to ensuring continued payment of salaries and wages, and the availability of paid leave, allowing for a smooth resumption of services once normal operations resume. Paid leave for federally funded employees may continue to be charged to federal funds, so long as leave policies are federal funding neutral (2 CFR 200.403[c]).

**Q17:** *If programs are closed due to COVID-19, can staff continue to be paid? If so, under what conditions?*

**A:** As noted previously, DPI supports LEAs who have committed to ensuring continued payment of salaries and wages and the availability of paid leave. For detailed information about using federal grant funds to continue paying staff when schools and programs are closed, please see the "Staff Salaries" section of the [School Finance FAQ](#) that is maintained by DPI's School Financial Services team.